

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999**

**OWNER OF RECORD:** CALISTOGA PARTNER LP

CALISTOGA PARTNER LP  
C/O ROGER LOVER  
3241 EHLERS LN  
ST HELENA, CA 94574

**STATEMENT NO:** S010892

**SOURCE:** BLOSSOM CREEK  
**TRIBUTARY TO:** NAPA RIVER  
**COUNTY:** NAPA  
**DIVERSION**

**TELEPHONE NUMBER:**  
(707) 963-2860  
**YEAR OF FIRST USE:** 1983  
**PARCEL NO:**

**WITHIN:** SW¼ OF NE¼ SECTION 35, T9N, R7W, MB&M.

- A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1996			X	X									
1997			X	X									
1998			X	X									

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_  
Other (specify) Frost protection
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/7/99, 1999 at St. Helena, California

SIGNATURE: [Signature]

PRINTED NAME: Roger B. Lover  
(FIRST NAME) (MIDDLE INIT.) (LAST NAME)

COMPANY NAME: Calistoga Partners

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

ITEM CONTINUATION

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same water shed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"  
 "Information Pertaining to Water Rights in California"  
 "Water Rights for Stockponds Constructed Prior to 1969"  
 "Appropriation of Water in California"



S010892%\$%2001

1999, 2000, 2001

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: CALISTOGA PARTNER LP

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**CALISTOGA PARTNER LP**  
**3241 EHLERS LN**  
**ST HELENA, CA 94574**

STATEMENT NO: S010892  
CONTACT PHONE NO: (707)963-2860

FOR ONLINE REPORTING AT  
[www.waterrights.ca.gov](http://www.waterrights.ca.gov)

USER NAME: S010892  
PASSWORD: C27513

Source Name: BLOSSOM CREEK

Tributary To: NAPA RIVER

County: Napa

Diversion Within: SW1/4 of NE1/4 Section 35, T09N, R07W, MB&M

Year of First Use: 1983

Parcel Number:

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain): ☐

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

5-6 Frost Nights  
per year

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1999				3	3								
2000				3	3								
2001				3	3								

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 11A Frost Protection acres; Stockwatering ; Domestic

Other (specify) Frost Protection

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐

Describe any water conservation efforts you have initiated:

absolutely necessary only use when

b. If credit toward beneficial use of water under claimed pre 1914 appropriate water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr  (af/mg) yr  (af/mg) yr  (af/mg)

Reductions in consumptive use:

yr  (af/mg) yr  (af/mg) yr  (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_ NO \_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_  
(first name) (middle init.) (last name)

COMPANY NAME: \_\_\_\_\_

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: LESS T CHAFEN

LESS T CHAFEN  
2570 VALLEJO STREET  
SAN FRANCISCO, CA 94123

STATEMENT NO: S010892

SOURCE: BLOSSOM CREEK  
TRIBUTARY TO: NAPA RIVER  
COUNTY: NAPA  
DIVERSION

TELEPHONE NUMBER:  
(415) 921-8245  
YEAR OF FIRST USE: 1983  
PARCEL NO:

WITHIN: SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  SECTION 35, T9N, R7W, MB&M.A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_B. Year of first use (Please provide if missing above) \_\_\_\_\_.C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993				X	X	X							
1994			X	X	X	X							
1995			X	X	X	X							

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 11 acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_  
Other (specify) Frost protection 4-5 Times/year

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/8, 1996, at San Francisco, CaliforniaSIGNATURE: Less T. ChafenPRINTED NAME: Less (FIRST NAME) T. (M. NAME) Chafen (LAST NAME)COMPANY NAME: Chafen's Vineyard

See back of page for General Information. If there is insufficient space for your answers,  
please number them in the space provided on the back of this form.



**\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\***

**STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

STATEMENT NO: S010892

OWNER OF RECORD: LESS T ~~CHAPPELBERG~~ **CHAFEN**

LESS T ~~CHAPPELBERG~~ **CHAFEN**  
3080 HIGHWAY 128  
CALISTOGA, CA 94515

1/3/96

*Mailing Address*  
*Less T. Chafen*  
*2570 Valleys St*  
*SF, CA 94123*

SOURCE: BLOSSOM CREEK  
TRIBUTARY TO: NAPA RIVER  
COUNTY: NAPA  
DIVERSION

WITHIN: SW¼ OF NE¼ SECTION 35, T9N, R7W, MDB&M.

TELEPHONE NUMBER:

(415) ~~273-8266~~ **921-8245**

YEAR OF FIRST USE: 1983

PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

**COMPLETE AND RETURN THIS FORM BY JULY 1, 1995**

- A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992				X	X	X							
1993				X	X	X							
1994				X	X	X							

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 10.5 acres; Stockwatering Occasional in June; Domestic \_\_\_\_\_

Other (specify) Frost Protection - 4 to 5 Time/year

**\*\*\* CONTINUE ON BACK PAGE \*\*\***

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

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- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

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I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: \_\_\_\_\_

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"



STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 010892

~~DALE R KOCHENBURG~~ Less T. Chafen  
3080 HIGHWAY 128  
CALISTOGA, CA ~~95426~~  
94515

TELEPHONE NUMBER:

~~(408) 247-1964~~  
415 273-8266

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BLOSSOM CREEK

TRIBUTARY TO: NAPA RIVER

COUNTY: NAPA

DIVERSION

WITHIN: SW1/4 OF NE1/4 SECTION 35, T09N, R07W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons  
☐ Acre-feet

☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988				✓FP	✓FP	✓Jr	✓Jr						
1989				✓	✓	✓	✓						
1990				✓	✓	✓	✓						

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Drip - 10 Acres June July

Stockwatering \_\_\_\_\_

Domestic \_\_\_\_\_

Other (specify) Frost Protection 10 Acres Apr. - May

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/27, 1991, at Calistoga, California

Signature: Less T. Chafen

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
STATEMENT OF WATER DIVERSION AND USE  
(This is not a Water Right)  
This statement should be typewritten or legibly written in ink.

10892  
APR 3 0 12 AM '88  
SACRAMENTO  
RECEIVED  
APC ✓

A. Name of person diverting water DALE R. KOCHENBURG  
Address 3080 HIGHWAY 128, CALISTOGA, CA Telephone: NONE  
B. Name of body of water at point of diversion BLOSSOM CREEK  
Tributary to NAPA RIVER  
C. Place of diversion SW 1/4 NE 1/4 Section 35, Township 9N, Range 7W, MDB&M, NAPA County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks. SEE ASSESSORS MAP ATTACHED

D. Name of works \_\_\_\_\_  
E. Capacity of diversion works 500 GPM cubic feet per second  
Capacity of storage reservoir 5 ACRE FT-PROPOSED gallons per minute  
State quantity of water used each month in gallons or acre-feet gallons acre-feet  

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.  
10 ACRES GRAPE FROST PROTECTION APRIL-MAY, DRIP JUNE-JULY

Maximum annual water use in recent years UNKNOWN gallons  
Minimum annual water use in recent years UNKNOWN acre-feet  
Type of diversion facility: gravity \_\_\_\_\_, pump X gallons acre-feet

Method of measurement: weir \_\_\_\_\_, flume \_\_\_\_\_, electric power meter \_\_\_\_\_, water meter \_\_\_\_\_, estimate X

F. Purpose of use (what water is being used for) FROST PROTECTION  
DRIP IRRIGATION

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)  
SEE ASSESSOR MAP ATTACHED

H. Year of first use as nearly as known 1983

I. Name of person filing statement DALE R. KOCHENBURG  
Position OWNER Organization KOCHENBURG VINEYARD  
Address 1742 EL DORADO AVE, SAN JOSE, CA 95126 Telephone: (408) 247-1964

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.  
DATED: JULY 30, 19 82, at SAN JOSE, California.

Signature: Dale R. Kochenburg

See Instructions on Reverse Side